



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Leako et al.

Appl. No. 09/430,175

Filed: October 29, 1999

For: Multiple Marker Characterization of
Single Cells

Confirmation No.: 6873

Art Unit: 1642

Examiner: Canella, Karen A.

Atty. Docket: 1887.0020001 /RWE/B-C

Declaration of Dr. Paul O. P. Ts'o Under 37 C.F.R. § 1.132

Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Paul O.P. Ts'o, hereby declare and state as follows:

1. I am a named inventor of the captioned application.

2. I together with Z.P. Wang, S.J. Di, M.A. Eisenbergerand, and A.W.

Partin, co-authored the poster entitled "Indications of living circulating prostatic cancer cells in the prostatic cancer patients' blood" presented at the *International Symposium on Biology of Prostate Growth*, at the National Institutes of Health, Bethesda, MD, on March 15-18, 1998, which has been cited by the Examiner in the captioned application. Z.P. Wang provided the cells used in the experiments reported in the poster. S.J. Di provided technical assistance by growing the cells used in the experiments presented in the poster. M.A. Eisenbergerand and A.W. Partin provided the patient samples that were used in the experiments reported in the poster. Other than myself, none of the co-authors made any inventive contribution to the invention claimed in the captioned application.

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3. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

November 7th / 2002
Date

Paul O. P. Ts'o
Paul O. P. Ts'o